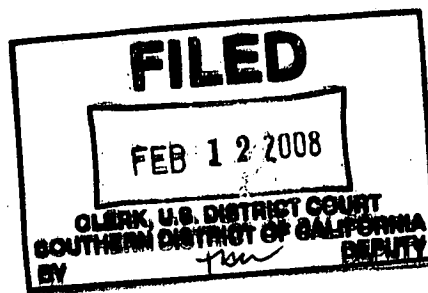


AUSA



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	Mag. Case No. 08MJ8108
	)	
Plaintiff,	)	<u>COMPLAINT FOR VIOLATION OF:</u>
	)	
v.	)	Title 8, U.S.C., Section 1326
	)	Deported Alien Found In the United States
Saul Alejandro VALENCIA-Estrada,	)	
	)	Title 18, United States Code, Section 751(a)
	)	Escape
Defendant.	)	<b>AMENDED</b>

The undersigned complainant, being duly sworn, states:

COUNT I

On or about February 4, 2008, within the Southern District of California, defendant Saul Alejandro VALENCIA-Estrada, an alien, who previously had been excluded, deported, and removed from the United States to Mexico was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States code, section 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

COUNT II

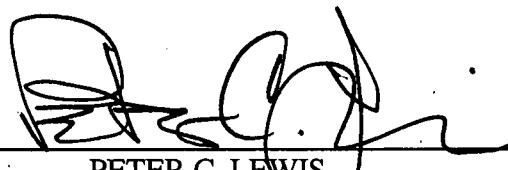
On or about February 4, 2008, within the Southern District of California, defendant Saul Alejandro VALENCIA-Estrada did unlawfully and willfully escape from custody of the Attorney General, to wit, U. S. Customs & Border Protection, U. S. Border Patrol, said custody and confinement being by virtue of arrest for violation of Title 18, United States Code, Section 751(a).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



Senior Patrol Agent

SWORN TO BEFORE AND SUBSCRIBED IN MY PRESENCE THIS 12<sup>TH</sup> DAY OF  
FEBRUARY 2008.



PETER C. LEWIS  
United States Magistrate Judge

1 UNITED STATES OF AMERICA

2 v.

3 Saul Alejandro VALENCIA-Estrada

4 STATEMENT OF FACTS

5 The complainant states that this complaint is based upon the statements of the  
6 apprehending Border Patrol Agent, G. Powers, that Saul Alejandro VALENCIA-Estrada was  
7 found and arrested on February 4, 2008, east of Calexico, California.

8 BPA Powers was performing his assigned Border Patrol duties approximately 7 miles  
9 east of Calexico Port of Entry. BPA Powers apprehended a subject later identified as Saul  
10 Alejandro VALENCIA-Estrada. VALENCIA was apprehended with four illegal aliens, while  
11 driving a white Honda Accord bearing California license plates 4AKR123.

12 Record checks revealed that, VALENCIA was deported to Mexico from the United States  
13 on February 5, 2007. Record checks also revealed that VALENCIA is currently on Supervised  
14 Release for alien smuggling.

15 There is no evidence VALENCIA has sought or received permission from the Attorney  
16 General or the Secretary of the Department of Homeland Security to re-enter the United States.

17 On February 4, 2008, VALENCIA was taken to the El Centro Regional Medical Center in  
18 El Centro, California, because VALENCIA was complaining of a foot injury. VALENCIA was  
19 treated and was issued crutches. VALENCIA was released from the hospital. Agent M. Pruden  
20 stated VALENCIA requested to use the restroom. As VALENCIA was going towards the  
21 restroom, he ran. Agent Pruden ran after VALENCIA and yelled at VALENCIA to stop. As  
22 VALENCIA continued to run, VALENCIA disappeared within the corridors of the hospital.  
23 Agent Pruden notified other agents and the El Centro Police Department. VALENCIA was not  
24 found.

25 On February 11, 2008, at approximately 10:10 a.m. Border Patrol Agent Penhallegon  
26 saw VALENCIA driving a 1987 Lincoln Towncar in El Centro, California. Agents arrested  
27 VALENCIA.  
28  
29